

HOUSE BILL REPORT

HB 2652

As Reported by House Committee On:
Environment

Title: An act relating to the initial implementation of recommendations from the collaborative process carried out to implement the state parks operating budget proviso on recreational access fee systems.

Brief Description: Concerning the initial implementation of recommendations from the collaborative process carried out to implement the state parks operating budget proviso on recreational access fee systems.

Sponsors: Representatives Fitzgibbon, Jinkins and Hudgins.

Brief History:

Committee Activity:

Environment: 1/22/18, 1/25/18 [DPS].

Brief Summary of Substitute Bill

- Expands the scope of Disabled Veteran Lifetime Pass to allow free pass holder access to Department of Natural Resources and Department of Fish and Wildlife recreational lands, in addition to recreational lands managed by State Parks.
- Eliminates the exemption from reservation fees for holders of Lifetime Veteran's Disability Passes.
- Exempts daily Sno-Park permit holders from Discover Pass requirements.
- Expands the scope of the 12 free access days annually designated by State Parks to include access to Department of Natural Resources and Department of Fish and Wildlife recreational lands.

HOUSE COMMITTEE ON ENVIRONMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Fitzgibbon, Chair; Peterson, Vice Chair; Maycumber, Assistant Ranking Minority Member; Dye, Fey, Kagi and McBride.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Do not pass. Signed by 2 members: Representatives Taylor, Ranking Minority Member; Buys.

Staff: Jacob Lipson (786-7196).

Background:

Discover Pass and Day-Use Permits.

The Discover Pass establishes a user fee for motor vehicle access to recreational areas managed by the State Parks and Recreation Commission (State Parks), the Department of Natural Resources (DNR), and the Department of Fish and Wildlife (DFW). A Discover Pass costs \$30 per year, while a day-use permit costs \$10 per day. Certain DFW lands may also be accessed with a Vehicle Access Pass that is issued in conjunction with certain hunting and recreational fishing licenses. The penalty for a failure to comply with the Discover Pass, Vehicle Access Pass, or day-use permit requirements is \$99, although a person that presents a court with proof of the purchase of a Discover Pass within 15 days of the violation must have their penalty reduced to \$59.

Wheeled all-terrain vehicles, which are one class of vehicle used for off-road recreation purposes, are not included among the types of motor vehicles required to display a Discover Pass, day-use permit, or vehicle access permit, so long as the wheeled all-terrain vehicle is properly registered.

State Parks may designate up to 12 days during which state parks can be legally accessed without having to display a Discover Pass or day-use permit. At least three of the pass-free days at state parks must be on weekends and, when practicable, must be timed with similar free access days offered by the National Park Service.

Department of Fish and Wildlife Fishing and Recreational Access.

The DFW is responsible for the management of the state's fish and wildlife resources, and establishes basic rules and regulations governing the time, place, manner, and methods used to harvest or enjoy fish and wildlife.

A Vehicle Access Pass is a pass issued during the purchase of a qualifying hunting or fishing license by the DFW. A Vehicle Access Pass may be displayed instead of a Discover Pass or day-use permit on DFW recreation lands.

The DFW is authorized to designate family fishing days when licenses and catch record cards are not required in order to fish or harvest shellfish. Under this authority, the DFW has established an annual free fishing weekend in early June, when fishing licenses and Vehicle Access Passes are not required.

Passes Issued by the State Parks and Recreation Commission.

State Parks charges admission and camping fees for state park access. Under park passes programs, State Parks issues different park passes for specially designated groups that qualify for discounts or exemptions from park fees:

- the Disabled Veteran Lifetime Pass entitles any state resident who is a veteran with at least a 30 percent service-related disability to free admission to any state park and waiver of any campsite fees and reservation fees;
- a Senior Citizens Pass, which entitles a person age 62 or older, meets Washington residency requirements, and has an income low enough that the person would qualify for a property tax exemption, to (1) a 50 percent reduction in campsite fees and (2) free State Park access; and
- a Foster Home Pass for persons who provide out-of-home care to a child is entitled to free admission to any state park and waiver of any campsite fees, so long as the child receiving care is present.

Disabled Veteran Lifetime Passes, Senior Citizen Passes, and Foster Home Passes may be revoked by State Parks for cause, including residency outside Washington, violation of park rules, fraudulent use of a pass, and refusal to display a pass to State Parks employees upon request.

During the winter months of November through March, persons that hold a seasonal Sno-Park Permit issued by State Parks are exempt from Discover Pass or day-use permit display requirements at Sno-Park sites.

William D. Ruckelshaus Center Process.

In 2016 State Parks was directed via an operating budget proviso to work with the William D. Ruckelshaus Center (Center) or another neutral third party to coordinate a process to develop options and recommendations to improve the consistency, equity, and simplicity in recreational access fee systems. The Center was chosen to facilitate this process and convened a leadership team of parties representing a variety of interest groups that met throughout 2017. The DNR, the DFW, State Parks, and other state agencies participated in an advisory capacity to the leadership team in the process facilitated by the Center. In a report to the Legislature issued in December, 2017 the leadership team recommended three possible recreational access schemas that would meet the consistency, equity, and simplicity criteria of the budget proviso, including:

- a pass-free access package that would replace the Discover Pass (identified by the leadership team as the recommended option);
- a two-vehicle pass system similar to the existing Discover Pass, but with some standardization of existing exemptions and additional coordination with federal access systems; and
- a one-vehicle access pass with a lower price as compared to a two-vehicle pass, and with a similar standardization of existing exemptions and additional coordination with federal access systems.

In conjunction with these packages, the leadership team's report to the Legislature identified several recommendations that were common across the three packages, including:

- coordination of fees with federal agencies;
- standardizing certain fees and exemptions applicable across State Parks, DNR, and DFW recreational lands; and
- eliminating the need for dual-registered off-road vehicles to display a Discover Pass.

Summary of Substitute Bill:

Special Passes Issued by State Parks to Disabled Veterans and Seniors.

A Disabled Veteran Lifetime Pass issued by State Parks is expanded to provide free access to DNR and DFW recreational lands, in addition to State Parks recreational lands. State Parks must develop an access pass, to be displayed instead of a Discover Pass, for recipients of a Disabled Veteran Lifetime Pass. The access pass is to be the equivalent of a Discover Pass and entitles its holder to all Discover Pass benefits, so long as the person who was issued the pass is a passenger or driver in the vehicle accessing the recreational site.

A Disabled Veteran Lifetime Pass no longer entitle pass holders to an exemption from reservation fees charged by State Parks.

Passes issued by State Parks may be revoked at any time for cause.

A person that has been cited for failure to properly display a pass or day-use permit at a recreation site must have their penalty reduced from \$99 to \$59 if the person provides a court with evidence within 15 days that the person has obtained a Disabled Veteran Lifetime Pass.

Access for Motor Vehicles Used for Off-Road Recreation.

Motor vehicles used for off-road recreation that have been transported to a recreation site managed for off-road recreation are not required to display a Discover Pass, Vehicle Access Pass, or day-use permit if the transporting vehicle displays a valid pass or permit and remains parked at the site.

Sno-Park Permits.

During the winter months of November through March, persons who have a Sno-Park Permit, whether daily or seasonal, are exempt from Discover Pass or day-use permit display requirements at a designated Sno-Park.

Free Access Days.

The scope of access provided by the annual free access days designated by State Parks is expanded to apply to all recreation lands operated by State Parks, the DNR, and the DFW, rather than only providing free access to State Parks sites. The 12 free days must be timed to correspond, when practicable, to DFW free fishing days, in addition to the current timing coordination with free National Park days. State Parks must consult with the DNR and the DFW in designating the maximum of 12 free access days per calendar year.

Substitute Bill Compared to Original Bill:

Eliminates the direction to the State Parks to require that Disabled Veteran Lifetime Pass and Senior Citizen Pass holders recertify their pass eligibility every five years.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on January 27, 2018.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill incorporates the initial recommendations from a broad stakeholder process facilitated by the Center that had the goal of increasing the equity, simplicity, and consistency of recreational access in Washington. A large number of stakeholders were interviewed or participated directly in the process that led to the formulation of the recommendations in this bill. This bill is solely the first batch of changes coming out of the Center process; the Governor's budget includes a proviso to better study some of the broader recommendations from the Center process that would more fundamentally address the funding structure that supports state recreational lands. This bill will reduce confusion among visitors to recreation lands, and will apply policies more consistently across state lands, regardless of whether those lands are managed by State Parks, the DNR, or the DFW. Providing free passes to all state recreational lands for disabled veterans is a good idea. The state should also continue to seek to improve the coordination of recreational access policies with the federal government.

(Opposed) None.

Persons Testifying: Representative Fitzgibbon, prime sponsor; Todd Tatum, Washington State Parks and Recreation Commission; Melinda Posner, Department of Fish and Wildlife; David Warren, Department of Natural Resources; Erin Dziedzic, Washington Trails Association; and Jeff Chapman, Back Country Horsemen of Washington.

Persons Signed In To Testify But Not Testifying: None.